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Kalamazoo Office
March 31, 1994

Direct Dial: (616) 382-9711

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

VIA: FEDERAL EXPRESS

94-19

Re: Comments of the Small Cable Business Association Regarding Computation of Regulatory Fee

Dear Mr. Caton:

Enclosed are the original and 14 copies of the above-captioned Comments for filing. We have also enclosed a copy with a self-addressed stamped envelope and request that a file-stamped copy be returned to us.

The prompt dissemination of this information to the Commissioners and appropriate staff members is greatly appreciated.

If you have any questions or comments, please call us.

Very truly yours,

HOWARD & HOWARD



Eric E. Breisach

A.R. 1994

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Enclosures
cc: Mr. David D. Kinley
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D.C. 20544

In the Matter of)

Implementation of Section 9)
of the Communications Act)

Assessment and Collection of)
Regulatory Fees for the 1994)
Fiscal Year)

MD Docket No. 94-19

**COMMENTS OF THE SMALL CABLE BUSINESS ASSOCIATION
REGARDING COMPUTATION OF REGULATORY FEE**

Eric E. Breisach

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Business Association**

Dated: March 31, 1994

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SUMMARY

The Commission, in its *Notice of Proposed Rulemaking* in MD Docket No. 94-19 (Released March 11, 1994) ("*Notice*") has singled out small cable operators for a harsh, unjustified, disparately burdensome and illegal method of computing the amount of regulatory fees payable by small cable systems. This is in direct conflict with the express mandate of Congress and would result in the unauthorized collection of at least \$1.2 million of fees from cable systems with fewer than 1,000 subscribers.

The Commission proposes assessing the regulatory fee at the rate of \$370 for each whole or partial block of 1,000 subscribers, rather than on a flat rate of \$0.37 per subscriber. Consequently, most operators will pay a regulatory fee on "phantom" subscribers¹. The cost of these phantom subscribers cannot be absorbed by smaller cable systems. For example, under the Commission's proposal, the per subscriber cost of a 250 subscriber system is \$1.48² and \$0.74³ for a 1,001 subscriber system.

The precise manner in which the fee described in the statute (i.e., \$370 per 1,000 subscribers) is to be assessed is ambiguous because it could be computed based on whole or partial blocks of 1,000 subscribers or on a per subscriber basis. Nevertheless, even a cursory review of the legislative history definitively resolves this issue. Congress mandated that the fee be computed on a per subscriber basis specifically to avoid placing a

¹For example, a system of 2,400 subscribers would pay a fee as if it had 3,000 subscribers and a 400 subscriber system as if it had 1,000 subscribers.

²The regulatory fee for a partial block of 1,000 subscribers would be \$370.

³The regulatory fee for a system with one whole and one partial block of 1,000 subscribers would be \$740 (\$370 x 2).

disproportionate burden on small cable systems.

Not only did the Commission ignore Congress' mandate, it failed to identify the gross disparity in burdens between larger and smaller cable operators imposed by the Commission's choice of computational method. This disparity would have been obvious had the Commission complied with the Regulatory Flexibility Act when preparing the *Notice*.

In addition to ignoring a Congressional mandate and failing to comply with the Regulatory Flexibility Act, the Commission went even further. Incredibly, interpreting identical statutory language, the Commission developed one computation method very favorable to small telephone companies and another computation method very detrimental to small cable operators. Telephony providers are not required to pay regulatory fees on phantom subscribers. The *Notice* does not attempt to reconcile or justify this difference for one simple reason: No rational basis for differential treatment exists. The absence of justification makes the Commission's proposal run afoul of the Regulatory Flexibility Act and the Equal Protection Clause of the United States Constitution.

Although the Commission's computation method is fatally flawed under a variety of theories, the Commission has clearly exceeded its authority by ignoring the express mandate of Congress that the regulatory fee was to be computed on a per subscriber basis to avoid placing disparate burdens on small cable systems.

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington D.C. 20544

In the Matter of)
)
 Implementation of Section 9)
 of the Communications Act)
)
 Assessment and Collection of)
 Regulatory Fees for the 1994)
 Fiscal Year)

MD Docket No. 94-19

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A. R.

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**COMMENTS OF THE SMALL CABLE BUSINESS ASSOCIATION
 REGARDING COMPUTATION OF REGULATORY FEE**

I. INTRODUCTION

A. The Small Cable Business Association.

Faced with an unprecedented labyrinth of seamless regulations, several small operators decided to form a self-help group to learn, understand and implement the new requirements. Notice of this group's first meeting spread and on Saturday May 15, 1993, one hundred operators met in Kansas City, Missouri. By the end of the day, the Small Cable Business Association ("SCBA") was formed.

Although still in its infancy, SCBA has rapidly grown to over 290 members. More than half of them have fewer than 1,000 subscribers in total. Current SCBA members are listed in the enclosed exhibit.

B. Elimination of Impermissible Disparate Burdens.

While SCBA recognizes small cable operators will not be able to escape many regulatory

burdens, it takes strong exception when, as in the instant case, the Commission places much greater burdens on small as opposed to large cable systems or small telephone companies. In its zeal to craft a computational method that would not exempt systems with fewer than 1,000 subscribers, the Commission developed a method that adversely impacted those systems.

SCBA is not proposing exemption of any cable systems, the principal perceived evil that the Commission sought to avoid⁴. It only petitions the Commission not to assess small cable systems more than their fair share of the regulatory fee burden. The only equitable way to compute the regulatory fee is on a flat amount per subscriber, initially \$0.37. As discussed in these comments, this is the method mandated by Congress.

II. THE METHOD CHOSEN BY THE COMMISSION TO COMPUTE CABLE TELEVISION USER FEES RESULTS IN SIGNIFICANT DISPARATE BURDENS ON SMALL CABLE SYSTEMS

A. The Commission's Computation Method Results In Payment Of Regulatory Fees For Phantom Subscribers.

The Commission proposes that all cable systems "will be assessed an annual regulatory fee of \$370.00 per 1,000 subscribers or any portion thereof."⁵ In addition, the Commission reiterated that "cable systems with 1,000 or fewer subscribers will be assessed a fee of \$370.00 per 1,000 subscribers or any portion thereof" so as not to exempt cable systems with fewer than 1,000 subscribers from payment of the regulatory fee.⁶

Use of this method means that cable operators will pay regulatory fees on phantom

⁴Notice at ¶ 75.

⁵Id.

⁶Id.

subscribers. The \$370 amount was established by Congress as a measure of the fee for each 1,000 subscribers, which equates to \$0.37 per subscriber. Therefore, payment of \$370 for a partial block of subscribers means that, for example, operators of systems with fewer than 1,000 subscribers will pay the regulatory fee as if they had 1,000 subscribers. Operators of systems of 1,500 subscribers will pay a fee as if they had 2,000 subscribers.

B. The Payment Of Regulatory Fees For Phantom Subscribers Cannot Be Absorbed By Small Cable Systems.

Even though virtually all systems will pay a regulatory fee that includes phantom subscribers (i.e., unless they have a number of subscribers in an even multiple of 1,000), the impact is much greater on smaller systems. The portion of the fee attributable to phantom subscribers must be spread over the actual subscriber base. For example, assume that the amount of the fee attributable to phantom subscribers was \$300. That cost has a much lesser impact when spread over 50,000 subscribers (\$0.006 per subscriber) than 1,000 subscribers (\$0.30 per subscriber).

The fundamental economic measures of operating a cable system are reduced to per subscriber amounts. Even though \$370 may not seem to be a material amount, to a small cable system, it is. For example, on a per subscriber basis, a \$370 minimum fee is \$3.70 per subscriber for a 100 subscriber system; \$1.48 for a 250 subscriber system; and \$0.74 per subscriber for a 500 subscriber system⁷. This amount of increased costs simply cannot be absorbed by small cable operators.

The number of small cable operators potentially impacted by this computation

⁷A chart showing sample calculations and a graphic presentation of the cost per subscriber for various system sizes is enclosed.

method is huge. For example, 6,175, more than half of the nation's 11,160 cable systems in this country have fewer than 1,000 subscribers⁸. Furthermore, more than 8,000 of the systems have fewer than 5,000 subscribers⁹. The amount of the regulatory fees on phantom subscribers would exceed \$1.2 million, based on the Commission's own statistics¹⁰. If left unchanged, the smallest cable systems will pay a huge penalty, all consisting of fees that Congress never anticipated or authorized the Commission to collect.

III. CONGRESS MANDATED THAT REGULATORY FEES BE ASSESSED ON A PER SUBSCRIBER BASIS TO AVOID DISPARATE IMPACT ON SMALL CABLE SYSTEMS

A. The Method Of Computing The Statutorily Prescribed Regulatory Fee Is Subject To Varying Interpretations.

Although Congress established the initial amount of the regulatory fee as "\$370 per

⁸Warren Publishing, *Cable & Television Fact Book*, Cable Statistics, 1994 Edition.

⁹*Id.* A chart showing the number of cable systems in each size category is enclosed.

¹⁰If a fee is paid on an even number of 1,000 subscribers, the component attributable to phantom subscribers can be computed by subtracting the actual number of subscribers from 1,000. Using the maximum subscriber counts contained in Appendix B in the *Notice*, the minimum assessment of unauthorized fees can be computed as follows:

<u>Actual Size</u>	<u>Fee Per Sub</u>	<u>Estimated Minimum Overcharge</u>	<u>Number Of Systems</u>	<u>Minimum Total Overcharge</u>
Under 250	\$ 0.37	\$ 277.50	\$ 2,957	\$ 820,568
250-499	0.37	185.00	1,500	277,500
500-999	0.37	92.50	1,421	<u>131,443</u>
				\$ 1,229,511

The "estimated minimum overcharge" was computed by subtracting the maximum cable system size (i.e., 500 for the category 250-499) from the 1,000 subscriber base implied by the Commission's methodology and multiplying the difference times the per subscriber fee intended by Congress.

1,000 subscribers," the Commission was required to develop rules and regulations governing computation and collection of these fees. There are three interpretations from which the Commission could have chosen:

1. Assess \$0.37 for each actual subscriber (i.e., \$370/1,000 under which a system of 1,500 subscribers would pay \$555);
2. Assess \$370 only for each whole block of 1,000 subscribers (i.e., a system of 1,500 subscribers would pay \$370); or
3. Assess \$370 for each whole and partial block of 1,000 subscribers (i.e., a system of 1,500 subscribers would pay \$740).

The Commission chose the latter option. Its principal concern appeared not to be equity for all cable systems, but rather a zeal to make sure that no cable system was excluded from the fee¹¹.

B. Congress Mandated That Regulatory Fees For Small Cable Systems Be Computed On A Per Subscriber Basis.

Whenever there is an ambiguity in a statute, the rules of statutory construction require examination of legislative intent before reaching a conclusion. Clearly, ambiguity exists in this case as the Commission itself stated its "belief that Congress intended" a certain result¹². Unfortunately, the Commission arrived at its "belief" without citing any authority.

¹¹In fact, the Commission, after imposing significant regulatory burdens on small cable systems stated that small systems should be subject to the regulatory fees since they "benefit" from the Commission's regulatory activities. The Commission did not elaborate on what this possible benefit might be. *Notice* at ¶ 75.

¹²*Notice* at ¶ 75.

1. Omnibus Budget Reconciliation Act of 1993 Legislative History.

The authority to assess regulatory fees was conferred to the Commission by the Omnibus Budget Reconciliation Act of 1993. The legislative history of this Act itself sheds little light on the method in which the regulatory fee is computed. It does, however, very importantly, incorporate the House Report regarding the Federal Communications Commission Authorization (H.R. 1674) from 1991 in all respects except for the level of the fees themselves¹³.

2. Federal Communications Commission Authorization Act of 1991 (H.R. 1674) Legislative History.

Congress considered, and the House adopted, a virtually identical regulatory fee scheme in 1991. The only difference was the amount of the user fees. The regulatory fee for cable television systems was to be assessed at the rate of \$175 per 1,000 subscribers¹⁴.

The House Committee was crystal clear about how this fee was to be assessed:

The Committee has been concerned about escalating rates for cable television service, and is mindful that the regulatory fee contained in H.R. 1674 could cause cable rates for small systems to increase substantially. In order to avoid this outcome, it is the Committee's intention that the fee be paid on the basis of 17.5 cents per subscriber per year. This will assure that small systems do

¹³House Conference Report No. 103-213 at 499, Reprinted at U.S. Code Congressional & Admin. News No. 7A at 1188 (September 1993), which provides in part:

With the exception of the level of the fees themselves, the fee provisions contained in this section are virtually identical to those contained in H.R. 1674, which passed the House in 1991. To the extent applicable, the appropriate provisions of the House Report (H.R. Rept. 102-207) are incorporated herein by reference. [Emphasis added].

¹⁴Section 9(g) as proposed by H.R. 1674.

not pay a disproportionate share of the amount collected by the Commission¹⁵.

3. The Commission Must Follow The Congressional Mandate.

For whatever reason, the Commission has failed to follow this clear Congressional mandate, in the process exceeding the authority delegated to the Commission to define the computation method to apply the regulatory fee structure. It does not have this discretion. Although administrative agencies have broad discretion to design and implement regulatory frameworks, they must be within the confines of the Congressional mandate¹⁶.

IV. THE COMMISSION'S PROPOSED METHOD OF COMPUTING USER FEES VIOLATES THE REGULATORY FLEXIBILITY ACT

A. The Commission's Notice Gives Only Lip Service To Its Requirements Under the Act.

The Regulatory Flexibility Act requires, among other things, that whenever an agency is required to publish a general notice of proposed rulemaking for any proposed rule, that it perform an initial regulatory flexibility analysis¹⁷. This analysis must:

Contain a description [of] any significant alternatives to the proposed rule which accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the proposed rule on small entities¹⁸.

¹⁵House Report No. 102-207, Federal Communications Commission Authorization Act of 1991, at 23-24 (excerpt enclosed).

¹⁶Federal Communications Commission v. RCA Communications, Inc., 346 U.S. 86, 96 L. Ed. 1470, 73 S. Ct. 998.

¹⁷5 U.S.C. § 602(a).

¹⁸5 U.S.C. §603(c).

The Commission's analysis did not even consider the impact on small entities. Its analysis was summarized in one cursory sentence:

The proposed implementation of the collection of regulatory fees will affect permittees, licensees and other regulatees in the cable, common carrier, mass media and private radio services¹⁹.

The Commission failed to comply with the substance of the initial regulatory flexibility analysis required by law. Had it analyzed the impact on small cable systems, the result would have been obvious. In all events, the Regulatory Flexibility Act requires that the Commission consider other alternatives that accomplish the same objective without significant economic impact on small entities. It must assess the regulatory fee based on the actual number of subscribers (i.e., \$0.37 per subscriber).

V. **THE COMMISSION SELECTION OF DIFFERENT COMPUTATIONAL METHODS FOR SMALL TELEPHONE CARRIERS AND SMALL CABLE SYSTEMS VIOLATES THE EQUAL PROTECTION CLAUSE OF THE UNITED STATES CONSTITUTION**

A. **The Commission Applied The Same Statutory Standard Unfavorably To Cable Operators And Favorably To Telephony Providers.**

Many of the regulatory fees imposed by the Omnibus Reconciliation Act of 1993, especially those related to telephony providers, are measured in terms of a fixed dollar amount for each block of users²⁰. Even though the statutory language is identical to that for cable television operators, the Commission has adopted different computational methods for telephony providers.

¹⁹Notice at Appendix B.

²⁰For example, Inter-exchange carriers are assessed at \$60 per 1,000 presubscribed access lines; Local exchange carriers at \$60 per 1,000 access lines; Competitive access providers at \$60 per 1,000 access lines.

The Commission interpreted the Omnibus Reconciliation Act to mean that the fee, as computed for cable television operators was to be computed as "\$370 per 1,000 subscribers *or any portion thereof*."²¹ The language "or any portion thereof" is conspicuously absent from the provisions of the *Notice* relating to telephony providers²².

The fact that the Commission consciously chose different computation mechanisms is reinforced by the Commission's calculations listed in Appendix C to the *Notice*. For example, the regulatory fee for cable systems with fewer than 249 subscribers is \$370 (representing the fixed fee or any partial block of 1,000 subscribers). The amount computed for the smallest local exchange carrier (i.e., C-TEC Corp.) was \$12,231 for 203,844 access lines, meaning that the fee was computed not in whole or partial blocks of 1,000 access lines, but on the basis of \$0.06 per subscriber²³.

B. The Commission Has Not Justified This Disparate Treatment.

Both cable television operators and telephony providers have been treated very similarly by Congress, in that their user fees are defined as the number of customers each has (i.e., access lines and subscribers). Especially in light of the convergence of telecommunications providers, and the calls by many, including the Clinton Administration, for a uniform regulatory scheme between telephony providers and cable television operators, it is clear that for this purpose at least, cable television operators and telephony providers

²¹*Notice* at ¶ 75 (emphasis added).

²²See, e.g., "\$60 per 1,000 access lines" for local and interexchange carriers at *Notice* at ¶ 89.

²³The required fee was \$60 per 1,000 access lines.

are members of the same class.

The Commission, if it is to apply identical statutory provisions in an inconsistent manner to members of the same class, must state a rational basis for the disparate treatment. It has not done so, presumably for the simple reason that one does not exist. This disparate treatment, coupled with failure to articulate a rational basis for differential treatment, violates the Equal Protection Clause of the United States Constitution²⁴.

The only rationale proffered by the Commission is that systems with fewer than 1,000 subscribers "benefit" from the Commission's regulatory activities²⁵. The Commission's choice of words in this case is inappropriate at best. Few observers would term the burdens placed on small operators as "benefitting" those operators. The Commission's rationale defies logic. Nevertheless, even accepting the Commission's line of reasoning, if small cable operators "benefit" from regulation, small telephone companies must also "benefit" from regulation and should therefore be subject to assessment of regulatory fees on the basis of partial blocks of access lines. In essence, the Commission's rationale does not explain or support this different treatment.

²⁴An administrative agency's rulemaking power is subject to the limitations of the federal constitution. *Jacobson v. Massachusetts*, 17 U.S. 11; 47 L. Ed. 643, 25 S. Ct. 358 (1904).

²⁵Notice at ¶ 75.

VI. THE ONLY REMEDY FOR THIS INEQUITY IS TO ASSESS THE REGULATORY FEE IN TERMS OF A FIXED AMOUNT PER ACTUAL SUBSCRIBER

A. The Commission Must Assess The Regulatory Fee Based On The Actual Number Of Subscribers.

Not only did Congress mandate that the regulatory fees for cable operators be based on the actual number of subscribers, but it is the only way to avoid inequities in the assessment of the fees that would violate the Regulatory Flexibility Act and the Equal Protection Clause of the United States Constitution.

B. Revenue Maximization Resulting From The Initial Assessment Is Ultra Vires To The Commission's Analysis.

While it is true that the computation of the regulatory fee using partial blocks of 1,000 subscribers would maximize the amount of the regulatory fees collected, that fact, in and of itself is immaterial to the current analysis. While it is the responsibility of the Commission in future years to establish the level of regulatory fees collected, Congress has established the level of regulatory fees to be assessed during the current fiscal year²⁶. It is not within the purview of the Commission to seek revenue maximization. Rather, the Commission's authority in this area is limited to the assessment of the regulatory fee in a manner consistent with the mandate of Congress as articulated in the statute and the legislative history of this provision.

The Commission's current computation method for regulatory fees is akin to a shopkeeper who decides to round the price of each good up to the next whole dollar when ringing up the purchases at the cash register. A 10 cent item becomes \$1, a \$1.10 item

²⁶47 U.S.C. Section 9(g). In this section, Congress has established a table of regulatory fees that are to be charged for the initial fiscal year.

becomes \$2, and so on. Not only are such techniques inequitable, their imposition is clearly outside of the Congressional mandate to assess such fees based on a per subscriber amount to "assure that small systems do not pay a disproportionate share" of the regulatory fee burden²⁷.

Worse yet, because the Commission consciously singled out cable operators for the burdensome method of computing regulatory fees, and not telephone companies, using the shopkeeper example, it is the same as if the shopkeeper only rounds up purchase prices for one type of customer and not others. If the Commission's goal were to maximize revenue in the initial year, it would have to apply the same revenue maximization methods to all classes of regulatees, not just cable operators. In the final analysis, however, we have provided this discussion merely to demonstrate the absurdity of the Commission's positions, since revenue maximization is clearly not one of the criteria the Commission can consider when applying the regulatory fees established by Congress. Consequently, any revenue loss from abandonment of an improper computational method is ultra vires to the Commission's analysis.

C. The Computational Method Is Revenue Neutral In Future Years.

In future fiscal years, the computational methods chosen will not affect the amount of revenue collected. Congress mandated that the amount of the regulatory fees must be adjusted each year to continue contributing a proportionate level of funding for each area of regulation²⁸. Therefore, the Commission must adjust the level of the fees. The level

²⁷House Report, *supra* at 24.

²⁸47 U.S.C. §9(b)(1).

of the fees would be determined by dividing the total revenue requirement by the number of billable units (i.e. actual subscribers). The computational method merely determines whether a greater portion of the burden is carried by smaller systems. It will not affect the total amount collected.

VII. CONCLUSION

SCBA is not seeking total exemption for smaller cable systems. It is merely seeking equitable treatment for smaller cable systems as mandated by Congress. The only method to compute the regulatory fees that does not impose an inordinate burden on operators of smaller cable systems is to assess the fee on the basis of \$0.37 per actual subscribers. This is the method mandated by Congress and therefore is the method that the Commission must adopt.

Respectfully Submitted,

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Collinsville TV Cable
A.D. Management, Inc.
Ft. Morgan Cable TV, Inc.
Luverne TV Cable Service, Inc.
Twin County Cable TV
Coosa Cable Co.
Clinton Cablevision Service, Inc.
Treece TV Cable
Indevideo Co., Inc.
Julian Cablevision
Catalina Cable TV, Co.
Tele-Cable Service Corp.
Lost Hills Communications
Total TV of Fort Irwin, Inc.
Apollo CableVision, Inc.
McVay Communications
HFU TV
Ponderosa Cable
American Pacific Company
Horizon Cable TV, Inc. **
Siskiyou Cablevision
Boulder Ridge Cable TV
Mountain Shadows Cable
Pacific Coast Cable Co., L.P.
Meyerhoff Cable Systems, Inc.
Coast Cable Communications, Inc.
Pacific Sun Cable Partners **
West Star Communications, Inc.
Western Cabled Systems
Small Cities Cable TV **
Matrix Cablevision, Inc.
Avenue TV Cable Service, Inc.
Saguaro Cable TV
Triax Communications Corp. **
Hermosa Cablevision
Rural Route Video
Country Cable TV
Pioneer Cable, Inc. **
J & T Cable
Big Sandy Telecom
B & C Cablevision, Inc.
Rigel Communications
United Video Cablevision, Inc.
Mid-Atlantic Cable
Florida Cable Inc.

Barrow,AK 99723
Dillingham,AK 99576
Andalusia,AL 36420
Collinsville,AL 35961
Fayette,AL 35555
Gulf Shores,AL 36547
Luverne,AL 36049
McCalla,AL 35111
Pell City,AL 35125
Clinton,AR 72031
Heber Springs,AR 72543
Phoenix,AZ 85079
Scottsdale,AZ 85258
Avalon,CA 90704
Borrego Springs,CA 92004
Calabasas,CA 91302
Cathedral City,CA 92234
Cerritos,CA 90701
Coalinga,CA 93210
Coleville,CA 96107
Concord,CA 94520
Desert Center,CA 92239
Fairfax,CA 94978
Fort Jones,CA 96032-0399
Half Moon Bay,CA 94019
Highland,CA 92346
Ione,CA 95640
Mi-Wuk Village,CA 95346
Orange,CA 92665
Pleasanton,CA 94588
Rancho Cordova,CA 95670
Redwood City,CA 94063
San Francisco,CA 94111
Saratoga,CA 95070
Ventura,CA 93002-1458
Castle Rock,CO 80104
Denver,CO 80206
Durango,CO 81301
Ignacio,CO 81137
Littleton,CO 80123
Monument,CO 80132
Rocky Ford,CO 81067
Simla,CO 80835
Wiggins,CO 80654
Sherman,CT 06784
Stamford,CT 06904-0420
Washington,DC 20015
Orlando,FL 32853

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Company

GPA Cable of VA, Inc.
Heartland Cable
Milestone Media Management
Communications Equity Associates
Bronson Cablevision, Inc.
Annox Inc. **
GWC Communications Co., L.P.
Blackshear TV Cable, Inc.
Georgia Cablevision, Inc.
Southeast Cable TV, Inc.
Mountain View Enterprises, Inc.
Plantation Cablevision, Inc.
United Cable Co., Inc.
Clear Vu Cable, Inc.
Saipan Cable TV
Western Systems, Inc.
Linn Cable Services
Televue Systems Corp.
Interstate Cablevision
Siebring Cable TV
Gowrie Cablevision, Inc.
Northwest Communications, Inc.
Dean's Cablevision, Inc.
Bayou Cable, Inc.
Panora Cooperative Cablevision
Modern Communications
Spirit Lake Cable TV, Inc.
Ter Tel Enterprises
Bley Cable, Inc.
Televue Cable Systems
Grand Ridge Cable
Moultrie Telecommunications
Manhattan Cable TV Company
Full Circle Communications, Inc.
Heartland Cable, Inc.
Ervin Cable TV
Cass Cable TV, Inc.
EQC Cable, Inc.
Cable TV Services, Inc.
Glass Antenna Sytems, Inc.
TV Cable of Rensselaer/Winamac
Atwood Cable Systems, Inc.
Belleville Cable TV **
Catron Communications, Inc.
H & B Cable Service
Kline CATV
NCTC, Inc.
Mid-Kansas Cable Services
Murray Cable TV, Inc.

City,State Zip Code

Osprey,FL 34229
Sebring,FL 33870
St. Petersburg,FL 33702
Tampa,FL 33602
Worthington Springs,FL 32697
Atlanta,GA 30346
Atlanta,GA 30338
Baxley,GA 31513
Berlin,GA 31722
Boston,GA 31626
Clayton,GA 30525
Eatonton,GA 31024
Perry,GA 31069
Summerville,GA 30704
Agana,GU 96910
Agana,GU 96910-4996
Coggon,IA 52218
Decorah,IA 52101
Emerson,IA 51533
George,IA 51237-0036
Gowrie,IA 50543
Havelock,IA 50546
Lamoni,IA 50140
Marion,IA 71260
Panora,IA 50216
Rock Rapids,IA 51246
Spirit Lake,IA 51360
Terri,IA 51364-0100
Beardstown,IL 62618
Elgin,IL 60123
Grand Ridge,IL 61325
Lovington,IL 61937-0350
Manhattan,IL 60442
McHenry,IL 60050
Minonk,IL 61760
Shawnee Town,IL 62984
Virginia,IL 62691-0200
Campbellsburg,IN 47108
Goodland,IN 47948-0420
Greencastle,IN 46135
Rensselaer,IN 47978
Atwood,KS 67730
Belleville,KS 66935
Hays,KS 67601
Holyrood,KS 67450
Kinsley,KS 67547
Lenexa,KS 66215
Moundridge,KS 67107
Paola,KS 66071

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Company

Cable TV of St. Paul, Kansas Inc.
Quinter Cable Co., Inc.
Ellis Engineering & Construction
Douglas Cable Communications **
Sumner Cable TV
Wilson, Lucas Cable
C & W Cable, Inc.
Clear Cable TV, Inc.
Aerial Communications, Inc.
Bowling Cable TV
Green Tree Cable TV, Inc.
Green River Cable TV, Inc.
Red River Cable TV
Carlyss Cablevision
Bee Line, Inc.
Cable TV of the Kennebunks
Crystal Cable TV, Inc.
Multi-Cablevision Co. of LW
Higgins Lake Cable, Inc.
Televisa Communications, Inc.
Northern Cable Co., Inc.
Springcom, Inc.
Midwest Cable Communications
Cannon Valley Cablevision, Inc.
Bye Cable, Inc. **
Deer River Telephone
Garden Valley Telephone Co.
Hector Communications Corp.
Lakeland Cable TV
Data Video Systems, Inc.
Fairmont Cable
Kohrt Communications
Rhinlander Cable TV
Stephen Cable TV
Rural Missouri Cable TV, Inc.
Southwest Missouri Cable TV **
Farmington Cablevision
Cass County Cable, Inc.
Houston Cable
Licking Cable, Inc.
First Cable of Missouri
Heartland Cable TV
Semo Communications
D & D Cable Systems, Inc.
Sky Cablevision Ltd.
Ripley Video Cable Co.
Baker Cable TV
Colstrip Cable TV Company **
Big Sky Community TV, Inc.

City,State Zip Code

Parsons,KS 67357
Quinter,KS 67752
Riverton,KS 66770
Topeka,KS 66609
Wellington,KS 67152
Wilson,KS 67490
Annville,KY 40402
Bardstown,KY 40004
Catlettsburg,KY 41129-8936
Hyden,KY 41749
Louisa,KY 41230
Russel Springs,KY 42642
Coushatta,LA 71019-0674
Sulphur,LA 70684-2447
Houlton,ME 04730-0859
Kennebunk,ME 04043
Crystal,MI 48818
Hamburg,MI 48139
Iron Mountain,MI 49801
New Boston,MI 48164-0604
Ontonagon,MI 49953
Springport,MI 49284
Bemidji,MN 56601
Bricelyn,MN 56014-0337
Crosby,MN 56411
Deer River,MN 56636
Erskine,MN 56535
Hector,MN 55342
Lakeland,MN 56150-1023
Parkers Prairie,MN 56361
Rochester,MN 55903
Rochester,MN 55901
Rochester,MN 55903
Stephen,MN 56757
Branson,MO 65616
Carthage,MO 64836
Farmington,MO 63640-0710
Greenwood,MO 64034
Houston,MO 65483
Licking,MO 65542-0297
Moberly,MO 65270
O'Fallon,MO 63366
Sikeston,MO 63801
Ste. Genevieve,MO 63670
Meridan,MS 39302
Ripley,MS 38663
Baker,MT 59313
Billings,MT 59104
Bozeman,MT 59715

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Company

Ashland Entertainment, Inc.
 Skyview TV, Inc.
 Cable & Communications Corp.
 North Yellowstone Cable TV
 Crow Cable TV
 Cable TV of Harlo
 Lincoln Cable TV
 Mel-View Cable TV
 Phillipsburg Cable TV
 Roundup Cable, Inc.
 Whitehall Cable TV
 BCTV
 Sylvan Valley CATV Co.
 Country Cablevision, Inc.
 WFL Cable TV
 Cable Services Inc. **
 Mid State Community TV
 Comstar Cable TV, Inc.
 Great Plains Cable **
 Eustis Telephone Exch.
 Curtis Cable TV Co., Inc.
 Cencom, Inc.
 Hillcomm Comm. Company
 StellaVision
 Grassroots Cable Systems, Inc.
 Ski Sat
 Phoenix Cable Inc.
 Multimedia Development Corp.
 Rocky Mountain Cable Systems
 Cablevision Communications, Inc.
 Eldorado Cable TV, Inc.
 Mesilla Valley/White Sands Cable
 Castle Cable TV
 Alfred Cable Systems, Inc.
 Gateway Cablevision, Corp
 Mid-Hudson Cablevision
 Taconic Technology Corp.
 Hilltop Communications, Inc.
 Greene Cablevision Co., Inc
 Henderson Cable TV
 Lewis County Cable
 Bloomville Cable
 Hancock Video, Inc.
 So. Cayuga County Cablevision
 Mountain Cablevision **
 Haefele TV Inc.
 DWS Cablevision
 Cable Comm. of Willsboro
 B. R. Cablevision Company

City, State Zip Code

Broadus, MT 59317
 Broadus, MT 59317
 Circle, MT 59215
 Gardiner, MT 59030
 Hardin, MT 59034-0338
 Harlowton, MT 59036-0242
 Lincoln, MT 59639
 Melstone, MT 59054
 Phillipsburg, MT 59858
 Roundup, MT 59072
 Whitehall, MT 59759
 Belhaven, NC 27810
 Brevard, NC 28712
 Burnsville, NC 28714
 Morven, NC 28170
 Jamestown, ND 58402
 Aurora, NE 68818
 Beatrice, NE 68310
 Blair, NE 68008
 Brady, NE 69123
 Curtis, NE 69025
 Jackson, NE 68743
 Lincoln, NE 68510
 Stella, NE 68442
 Exeter, NH 03833
 Waterville Valley, NH 03215
 Ramsey, NJ 07446
 Albuquerque, NM 87123
 Albuquerque, NM 87123
 Cloudcroft, NM 88317
 Sante Fe, NM 87505
 Las Vegas, NV 89129
 Alexandria Bay, NY 13607
 Alfred, NY 14802
 Amsterdam, NY 12010
 Catskill, NY 12414
 Chatham, NY 12037
 Germantown, NY 12526
 Greene, NY 13778
 Greig, NY 13345
 Greig, NY 13345
 Halcottsville, NY 12438
 Hancock, NY 13783-0476
 Locke, NY 13092
 New York, NY 10128
 Spencer, NY 14883
 Tupper Lake, NY 12986
 Willsboro, NY 12996
 Benton Ridge, OH 45816

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Company

Country Cable, Inc.
 Olmstead Cable Company
 Community TV Systems
 JEM Cablevision
 Nelsonville TV Cable, Inc.
 Otec Communications Company
 Cable TV Investments-One, Inc.
 Starpoint Cable **
 Scioto Cablevision
 Cim. Tel. Cable, Inc.
 Images Cablevision, Inc.
 Cross Cable Television, Inc.
 Colton Cable TV
 Glide Cablevision
 RTI / Cable Television
 Heppner TV, Inc.
 Monroe Area Communications
 Country Cablevision, LTD.
 Tangent TV Cable Co.
 Cascade Cable Systems
 Alsea River Cable TV
 Monitor Telecommunications Systems
 Tele-Media Corp. **
 Bentleyville Telco
 Calvin Cable System, Inc.
 C.P.S. Cablevision
 Belisle Communications, Inc. **
 Lakewood Cable Company
 Millersburg TV Company
 Summerville Cablevision, Inc.
 Star Cable Associates **
 Country Cable TV
 Keystone Wilcox Cable TV, Inc.
 Beaver Valley Cable Company
 Oswayo Valley TV Cable
 Kuhn Communications, Inc.
 Pine Tree Cablevision
 Ski Sat
 Due West Cablevision
 C. Cablevision, Inc.
 Cablevision Industries Inc.
 Zenith Cable
 WMW Cable TV Co.
 Valley Telco Coop.
 Satellite Cable Services, Inc.
 Springfield Cable, Inc.
 ACI Management
 North Star Television Co.
 Mountain Zone TV **

City, State Zip Code

Canton, OH 44701
 Cleveland, OH 44114
 Columbus, OH 43215
 Jefferson, OH 44047
 Nelsonville, OH 45764
 Ottoville, OH 45876
 Portsmouth, OH 45662
 Thornville, OH 43076
 Waverly, OH 45690
 Mannford, OK 74044
 Ochelata, OK 74051-0158
 Warner, OK 74469
 Colton, OR 97017
 Glide, OR 97443
 Halsey, OR 97348
 Heppner, OR 97836
 Monroe, OR 97456
 Salem, OR 97309-0038
 Tangent, OR 97389
 The Dalles, OR 97058
 Waldport, OR 97394
 Woodburn, OR 97071
 Bellefonte, PA 16823
 Bentleyville, PA 15314
 Calvin, PA 16622
 Coalport, PA 16627
 Coraopolis, PA 15108
 Lakewood, PA 18439-0258
 Millersburg, PA 17061
 Montoursville, PA 17754
 Pittsburgh, PA 15220
 Pleasant Gap, PA 16823
 Ridgeway, PA 15853
 Rome, PA 18837
 Shinglehouse, PA 16748
 Walnut Bottom, PA 17266
 Wayne, PA 19087
 Providence, RI 02903
 Due West, SC 29639
 Myrtle Beach, SC 29525
 Myrtle Beach, SC 29525
 Santee, SC 29142
 Hartford, SD 57033
 Herreid, SD 57632-0007
 Sioux Falls, SD 57101
 Springfield, SD 57062
 Brentwood, TN 37027
 Knoxville, TN 37950-1906
 Alpine, TX 79830